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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROB STAHNKE, an individual,

Plaintiff,

v.

CITY OF SEATTLE, a municipality, and
JENNY DURKAN, an individual,

Defendants.

CASE NO. 2:23-cv-2

**STIPULATED MOTION TO
PARTIALLY DISMISS CLAIMS
WITH ORDER**

[NOTING DATE: APRIL 25, 2023]

STIPULATION

Plaintiff ROB STAHNKE filed his Amended Complaint for Damages on April 3, 2023. *Dkt. 13*. Defendants CITY OF SEATTLE and JENNY DURKAN filed their Answer to the Amended Complaint for Damages on April 3, 2023. *Dkt. 14*. Defendants City of Seattle and Jenny Durkan also filed a Partial Motion to Dismiss Pursuant to Rule 12(b)(6), on April 3, 2023, seeking dismissal of Plaintiff's First Cause of Action and Third Cause of Action and dismissal of Defendant Jenny Durkan. *Dkt. 15*. Defendants' Partial Motion to Dismiss Pursuant to Rule 12(b)(6) is currently noted for April 28, 2023.

1 Plaintiff Rob Stahnke and Defendants City of Seattle and Jenny Durkan have
2 stipulated and agreed to strike Defendants' Partial Motion to Dismiss Pursuant to Rule
3 12(b)(6) currently noted for April 28, 2023.

4 Plaintiff Rob Stahnke and Defendants City of Seattle and Jenny Durkan have further
5 stipulated and agreed to the dismissal of Defendant City of Seattle as to Plaintiff's First Cause
6 of Action, without prejudice, and Plaintiff's Third Cause of Action, with prejudice, and to the
7 dismissal of Defendant Jenny Durkan as to Plaintiff's First Cause of Action, without
8 prejudice, and with prejudice as to all other claims.

9 STIPULATED AND AGREED TO this 25th day of April, 2023,

10 LAW OFFICE OF FRANK S. HOMSHER

ANN DAVISON

Seattle City Attorney

11 By: s/Chris Rosfjord

12 Chris Rosfjord, WSBA #37668

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16 *Attorney for Plaintiff Rob Stahnke*

By: /s/Alexandra Nica

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Attorneys for Defendants

ORDER

THIS MATTER having come before the Court on the foregoing Stipulated Motion to Partially Dismiss Claims, and the Court having considered the Stipulation, and good cause appearing, now, therefore:

IT IS ORDERED THAT Stipulated Motion to Partially Dismiss Claims is GRANTED.

IT IS FURTHER ORDER THAT the Defendants' Partial Motion to Dismiss Pursuant to Rule 12(b)(6) and April 28, 2023 noting date are hereby stricken.

IT IS FURTHER ORDER THAT Defendant City of Seattle is dismissed without prejudice as to Plaintiff's First Cause of Action in the Amended Complaint for Damages.

IT IS FURTHER ORDER THAT Defendant City of Seattle is dismissed with prejudice as to Plaintiff's Third Cause of Action in the Amended Complaint for Damages.

IT IS FURTHER ORDER THAT Defendant Jenny Durkan is dismissed without prejudice as to Plaintiff's First Cause of Action in the Amended Complaint for Damages.

IT IS FURTHER ORDER THAT Defendant Jenny Durkan is dismissed with prejudice as to all other claims.

DATED this 31st day of May, 2023,



Jamal N. Whitehead
United States District Judge